

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOP HOP PRODUCTIONS, INC., and
FALEENA HOPKINS,

Plaintiffs,

v.

KEVIN KNEUPPER, TARA CRESCENT, and
JENNIFER WATSON,

Defendants.

Civ. Action No. 1:18-CV-04670-AKH

Filed by ECF

DECLARATION OF PENNY REID

I, Penny Reid, hereby declare as follows:

1. I submit this declaration in support of Defendants' Joint Memorandum of Law in Opposition to Plaintiffs' Order to Show Cause for Preliminary Injunction and Temporary Restraining Order in the above-captioned proceeding. The statements made herein are based on my personal knowledge or information that I believe to be true. If called to testify regarding same, I could do so competently.

2. I am an author and publisher of romance novels; I write under the pen name Penny Reid. I submit this declaration under my professional name and would appreciate the Court's understanding of my submission in this format because I believe disclosure of my actual name would present issues for me, both personally and professionally. My readers know me as Penny Reid, I have built my reputation, business, and brand based on that name, and therefore have kept my true name confidential. My previous profession as a biomedical researcher required that I submit to peer review publications (scholarly articles) and to granting agencies such as the

National Institutes of Health (grant applications), keeping my real name and pen name separate was imperative to the continued viability and credibility of my career. I have children and hope to keep their identities anonymous.

3. In early May of 2018, I became aware that the United States Patent and Trademark Office had issued trademark registrations for the term COCKY and for the term COCKY (Stylized) in connection with book series. I also learned of various enforcement activities related to these registrations. As an author, these registrations and the enforcement thereof are of great concern to me. I believe that the enforcement represents an overreaching that unlawfully restricts my ability to express myself creatively when titling my books.

4. On or about May 9, 2018, I asked my publicist, Jennifer Watson, for her assistance in publicizing an anthology that I conceived of and organized entitled COCKTALES. That anthology comprises my work as well as the work of 39 additional authors who are also seriously concerned about creative obstruction resulting from the trademarking of common single words.

5. Ms. Watson donated her time to this project.

6. Ms. Watson had no role in the conception, authorship, creation, decision to publish, or publication of the COCKTALES anthology.

7. If any one person can be said to have "masterminded" the conception, authorship, creation, decision to publish, or publication of the COCKTALES anthology, or be fairly characterized as the "driving force" behind it (as Plaintiffs have wrongly accused Ms. Watson of doing and being), it would be me.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: May 31, 2013

Penny Reid
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